

1 SUE FAHAMI
Acting United States Attorney
2 District of Nevada
Nevada Bar No. 5634
3 CHRISTIAN R. RUIZ
Assistant United States Attorney
4 501 Las Vegas Blvd. So., Suite 1100
Las Vegas, Nevada 89101
5 Phone: (702) 388-6336
Fax: (702) 388-6787
6 Christian.Ruiz@usdoj.gov

7 *Attorneys for the Federal Defendant*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 Felicia M. Cavanagh,
11 Plaintiff,

12 v.

13 Nevada State Militia (Nevada National
Guard),

14 Defendant.

Case No. 3:24-cv-00196-ART-CSD
ORDER GRANTING
Motion for Retroactive Extension of
Time to Respond to Plaintiff's
Complaint

(Second Request)

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16 Pursuant to Fed. R. Civ. P. 6, LR IA 6-1, and LR IC 3-1, and for the reasons stated
17 in the attached Declaration of AUSA Christian R. Ruiz, Defendant requests a retroactive
18 extension of the due date to respond to Plaintiff's Complaint (ECF No. 1), from January
19 27, 2025, to January 28, 2025. The requested extension is applicable to Defendant's Motion
20 to Dismiss, filed at 5:54 a.m. on January 28, 2025. (ECF No. 20). This is the second
21 request to extend the deadline to respond to Complaint.

22 Undersigned counsel respectfully submits that this motion is supported by "good
23 cause," "excusable neglect," or the "inaccessibility of the clerk's office," within the
24 meaning of Rule 6 of the Federal Rules of Civil Procedure. A technical failure caused the
25 CM/ECF System for the United States District Court for the District Court of Nevada to
26 become inaccessible on January 27, 2025, and January 28, 2025. (Exhibit A, Declaration of
27 AUSA Christian R. Ruiz; Exhibit B, CM/ECF Error Messages with Timestamps.)
28 Undersigned counsel attempted to file Defendant's Motion to Dismiss late on the evening

1 it was due, but the CM/ECF System experienced connectivity issues, which prevented
2 undersigned counsel from filing a timely response.

3 Undersigned counsel apprised Plaintiff of the technical failure (Exhibit C,
4 Correspondence), and undersigned counsel filed Defendant's Motion to Dismiss as soon as
5 he learned that the CM/ECF System became accessible again. (Exhibit A, Declaration of
6 AUSA Christian R. Ruiz.)

7 This is the second request to extend the deadline to respond to the Complaint. This
8 request is sought in good faith and not for purposes of undue delay. In the interest of filing
9 this motion on the same day as Defendant's Motion to Dismiss, undersigned counsel
10 attempted to but was unable to obtain a position on this motion from Plaintiff. (Exhibit A,
11 Declaration of AUSA Christian R. Ruiz.)

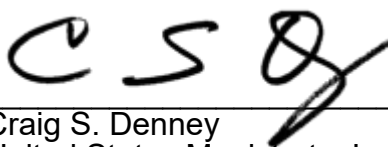
12 Respectfully submitted this 28th day of January 2025.

13
14 SUE FAHAMI
Acting United States Attorney

15 /s/ Christian R. Ruiz
16 CHRISTIAN R. RUIZ
Assistant United States Attorney

17
18 IT IS SO ORDERED.

19 DATED: January 29, 2025.

20
21 
22 Craig S. Denney
United States Magistrate Judge